

Town of Frederick Town Board



Eric Doering, Mayor

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Amy Schiers, Trustee

Tony Carey, Trustee
Gerry Pfirsch, Trustee
Jim Wollack, Trustee

IM 2009- 018

Discussion of Various Intergovernmental Agreements

Agenda Date: November 10, 2009

Attachments: a. Not applicable.

Issue/Request:

At the work session held August 18, 2009, the Board of Trustees requested that staff bring back suggestion for the Intergovernmental Agreements (IGA) with Firestone and a separate agreement for the St. Vrain Valley School District. Following the work session, Mayor Doering received a proposed IGA from Weld County that required analysis as well.

Submitted by: Jennifer Simmons
Planning Director

Approved for Presentation: [Signature]
Town Administrator

AV Use Anticipated Projector n/a Laptop n/a

Certification of Board Review:

Town Clerk

Date

Detail of Issue/Request:

Firestone IGA

Background

The IGA between the Town of Frederick and Town of Firestone has been in place since 1998. It was primarily designed to outline the steps to have Firestone remove Bella Rosa Parkway/CR 20 and a portion of Silver Birch Boulevard/CR 11 from its jurisdiction and allow Frederick to annex both roads as well as to define the annexation boundaries of each community.

At the time the document was written, growth west of Interstate 25 was not addressed. Now, with both communities' jurisdictions extending west of the interstate, it seems prudent to draft an amendment to the existing IGA and address growth west of I-25. It has been suggested that this IGA be updated to specify the area where each municipality intends to annex. Ideally, this would be a reflection of the community's planning area.

Items to consider including in amendment to existing IGA

During the discussion of the Board of Trustees regarding the Firestone IGA, a number of items were suggested to be addressed in an amendment to the existing IGA. The items included the following (in no particular order):

- An agreed upon boundary of State Highway 119 west of Interstate 25. Frederick will not annex north of SH 119, and Firestone will not annex south of SH 119 west of Interstate 25, east of Boulder Creek.
- Colorado Boulevard/CR13 access and maintenance – Maintenance at the intersection of Colorado Boulevard and County Roads 20 and 18 appear to be offsetting as Frederick maintains the intersection at CR18 and Firestone maintains the intersection with CR20. Work is needed to eliminate safety concerns at the northwest corner of the intersection with CR20. Additionally, it would be helpful to clarify the maintenance responsibility for the right-of-way adjacent to the No-Name subdivision, west of Colorado Boulevard roadway and north of CR20. Finally, the Board suggested that the IGA address access between Colorado Boulevard and the old Tri-Area Ponds.
- Because Firestone no longer participates in the IGA between Frederick, Dacono, and Weld County, it will be important for this amendment to establish guidelines for referring information between the two communities.
- The amendment to the IGA should reference the existing comprehensive plan maps.
- The amendment to the IGA should clarify that CR16.5 is the boundary between the communities east of Colorado Boulevard.
- Revenue sharing was discussed in two separate areas. First, an option to be considered will be revenue sharing along State Highway 119 from the Interstate west to Boulder Creek. No specific suggestion on percentages was offered, however, it was suggested that if Firestone offered it, it would be considered. Second, revenue sharing was suggested for the Hobby Horse property at the southeast corner of CR20/CR11 and the Tri-Area Ponds. It was suggested that the community with jurisdiction could receive 75% of the revenue and the adjacent community would receive 25%. This would help offset the costs of maintenance issues related to one jurisdiction having maintenance responsibilities adjacent to the property that is within another jurisdiction.

St. Vrain Valley School District IGA

The current IGA was revised in 2002 from an earlier 1996 version. The School District proposes entering into a "new" IGA with Frederick similar to the one adopted by Firestone in 2008. The Board may remember that the District in essence "caved" into Firestone's demands regarding feeder systems and water. The following points should be considered when negotiating a new IGA:

- How to allocate funds if Firestone ever builds a high school. Should it be based on the elementary school or middle school that the students attend since students could go to high school in Frederick, Mead, or potentially Firestone.

- How are funds allocated in Firestone and Mead used in regards to high school feeder systems? Is Frederick high school feeder system treated fairly?
- Under the current agreement any funds not used within nine years must be returned to the developer who paid them. The new agreement proposes 15 years but the term of the agreement is only 10 years.
- Both agreements have “public hearing” requirements that could properly be simply public meetings as opposed to formal hearings (methodology and extending the term of the agreement).

Weld County IGA

The proposed IGA provided to Mayor Doering at the I-25 Corridor Group meeting in September is relatively similar to the IGA we currently have in place with the County and the City of Dacono. Given the similarities between the existing and the proposed IGA, there doesn't appear to be any reason to adopt the proposed IGA.

Longmont and Boulder County IGAs

Boulder County Commissioner Ben Perlman was communicating with Mayor Doering to provide an updated draft IGA that would amend the existing IGA with Boulder County to recognize a change in the northern boundary of the agreement. The document has not yet been provided therefore, no further work has been completed.

Legal/Political Considerations:

Obviously, agreements bind the Town and must be entered in to very carefully.

Alternatives/Options:

The Board of Trustees may provide direction at its discretion.

Financial Considerations:

Not applicable.

Staff Recommendation:

Staff will follow the direction provided by the Board of Trustees.